

**Troy City Council
Work Meeting
Council Chambers
October 20, 2009**

The meeting came to order at 6:30 pm. Present: Mayor Jim Hammons, Council: Donald Banning, Larry Coryell, Laura Schrader and Customer Service Representative Sandi Sullivan.

GUESTS: Mary Jo Payton, Maggie Anderson, Emma Anderson, Fran McCully, Philip Fisher, and Clint Taylor, Power and Light Manager

UPDATE ON UNDERAGE DRINKING COMMITTEE: Maggie Anderson – Anderson had two items she wanted to address to council.

1. *DUI Checklist* – Anderson explained that Bernie Cassidy will be giving talks to officers on how DUI's are processed. It is a check list for prosecuting. It provides all the evidence gathered so the driver will be less likely to plead not guilty. In Court it would provide a direct line of questioning. The County Sherriff's Department is committed to adopting it and she would like the City Police Department to consider it as well.
2. *Underage Drinking Taskforce* – Have a taskforce with store clerks, owners and servers. Anderson explained that there are two ways to catch underage drinkers. Where they are drinking it, and where they are buying it. There hasn't been a single party busted in over a year because the parties are taking place in the county. So the emphasis for Troy is to catch them when they are buying it. Anderson explained that it seems to be the same young men buying it for the underage drinkers. This is where the taskforce comes in. She has met with business owners and has committed to training them on the signs to watch for. Anderson is hoping to get more businesses involved. She expressed gratitude for the Police Department and the businesses for their continued involvement.

Anderson would like to have a policy in place by spring for council's review. She asked if she could have two people from the council to sit on the committee. Mayor Hammons called for volunteers. No one responded. Larry Coryell suggested having an events coordinator for the park, and that person would sit on the committee, probably a city employee. Hammons asked Anderson how many people were already lined up. She could have a committee formed as soon as next week. Anderson asked council if they thought it was important. Hammons replied, yes. Don Banning told Anderson that there is going to be a new council after election, and that is probably why nobody is volunteering as of yet. Anderson again stated how important it is to get a policy in place before summer. The policy will have impact on public health and safety. There are five recommended parts of a policy but Anderson wants to concentrate on three major areas. She wants to put in the policy. 1. Potential for harm. 2. Potential for underage drinking. This is where the physical boundaries of a beer garden comes in; also, limiting the number of drinks and size of containers. 3. Potential for drunk driving. Larry Coryell suggested waiting until after the first of the year when the new council and mayor is seated. Hammons agreed and said we would still have enough time. Anderson asked if council wants to table it until January or select a committee now so she can come back in January with a policy draft. It was Council's consensus to table it until January. Don Banning stated that possibly after the votes are counted, then they can be involved before January. Anderson expressed the importance of time due to the policy having to have two readings before it is in place.

BPA TIER 2 POWER: Clint Taylor-Power and Lights Manager: Was contacted by Bonneville Power Administration to choose a Tier 2 power provider and type by November 1, 2009. Taylor explained what Tier 2 meant. Most of the utilities in this area are doing Tier 2 power. It's only for 3 years. Taylor read the drafted letter. He explained that it only makes sense to purchase our Tier 2 power from BPA as well. Taylor stated that most likely we will never need it. Hammons feels that the City has enough room in Tier 1, and basically signing the Tier 2 contract is more of a formality. Fran McCully asked if the contract was a lock for a specific rate. Taylor answered, yes. BPA has changed the rules from when we signed the Hungry Horse Contract, and the push to sign a new contract so soon is because of an upcoming election. Laura Schrader asked Taylor what it would take to reach Tier 2. Taylor gave an example of a load as big as another half of Troy. Schrader stated that any new business with large loads would have to help offset the costs if we go into Tier 2. Taylor agreed and added that the rates would have to be negotiated with new businesses to help with costs. Fran McCully asked if there were any negative reasons about signing it. Taylor replied, no. If we don't sign it, and later have the need to purchase Tier 2, Bonneville would tell us to shop around, who knows what the rates will be at that time. Hammons asked council if there were any questions. Schrader said no, and it sounds like we should sign it. Don Banning asked Taylor if a load like Stringer Welding would put us in to Tier 2. Taylor said, probably, it all depended on what they used for heating. The welding equipment alone probably wouldn't. Discussion followed. Consensus of Council was to sign contract for Tier 2 power with BPA.

VARIANCE FOR MOBILE HOME: Mary Jo Payton – Mary Jo Payton asked for a variance to the Mobile Home Ordinance # 582 She presented council with pictures of a 1997 14x70 Modular home and wants to place it on her daughter's property at 4th and Spokane. Laura Schrader asked Payton where the trailer is located presently. Payton replied in Libby. Schrader stated it falls within the age limitations; it's just the size that doesn't meet the specifications of the Ordinance. Hammons said the Ordinance requirements are from HUD requirements. Schrader asked if she had plans for porches and carport. Payton replied yes. Laura Schrader stated she would like to review the Ordinance before making a decision. Hammons asked if it would be on blocks. Payton said, no, it would be on a cement pad. Hammons asked Payton what the time frame was for a decision. Payton said it is still being advertised in the paper and she needs a decision soon, so she can tell the owners. She stated that she cannot afford the payment of the trailer if she placed it on a lot that she also had to pay rent on. Larry Coryell asked if it was a separate lot from the home. Sandi Sullivan, Payton's daughter replied, yes. Coryell asked how far off the alley it would set. He showed concern that the alley would be the main access. Schrader stated that there is a driveway that could be more developed from Spokane Ave. Don Banning stated that the only thing he could see that didn't fit the ordinance was the size. Discussion followed.

ROSE BUD FLATS SUBDIVISION REVIEW: The Council was given a land plat of the proposed subdivision from the County Planning Department for review. Laura Schrader would like to see utility easements to access properties in front of the proposed residential lots. Taylor pointed out that there is only a 10' easement for the sewer main. Philip Fisher remembered that for his personal property he had to give a 30' easement during construction of the sewer main and a 20' easement after competition. Maybe it

should be 20'. Schrader asked that this be checked out. The water main ends at McDougall's trailer court and on the other side the Kelly property. Taylor pointed out the water main, and believes TD&H tested it, and was approved by the State. Larry Coryell would like to see a 60' easement for the roadway in the chance that it ever becomes a maintained city street. Schrader agreed. Their only concerns were based on the future development. If it ever became a city maintained street, that it had a nice solid base with some gravel and a cul de sac at the dead end for snow plows and fire trucks. They liked the idea that it would line up with Kalispell Ave for any future development. Taylor stated that technically, if it's not a city street, then it's not a city concern. Hammons reiterated and said we can still get in trouble with the State for storm drains, so there is cause for concern. Schrader brought up the fact that the sewer main ran down the middle of the residential properties. This limits their building space especially if a wider easement is necessary. Discussion followed. Mayor Hammons asked that a letter be sent to Lisa Oedewaldt expressing concerns and advised council that the hearing will be November 18, 2009.

PUBLIC COMMENT: Clint Taylor advised council that he was approached by Rusty Thompson, regarding power to the new baseball field that the School District is putting in at the park. The City has a meter base that feeds the walking path lights and the restroom. This would be the easiest solution to supplying power to it. The school would pay to have it put in, but the power usage would be on the city's service. The only thing that would be powered by it would be the electronic sprinkler timers and the pitching machine. Mayor Hammons brought up the idea of portable power for the pitching machine. Schrader asked Taylor if the right way to do it would be to have them have their own meter base. Taylor said yes, but then there is an issue of a box outside in the unprotected weather for a great expense with minimal usage. He added that it would be easy to do from the city's meter base. Schrader stated that the city pays for power in the park anyway with concessions, bathrooms, etc. Her feeling is that it would fall under park usage. Hammons still thinks that portable power is the way to go. Discussion followed. Taylor added that the work has started on the field, they have been contacted for line locates because the fence and sprinkler companies are due in this coming Tuesday.

Meeting adjourned at 7:40 pm.

James C. Hammons, Mayor

ATTEST:

Sandi Sullivan, Customer Service Representative